

MEMO ENDORSED**STILLMAN LEGAL, P.C**

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VIA ECF

Caproni

The Honorable Valerie Caproni
 Eastern District of New York
 Southern

Re: 1:23-cv-06032-VEC Suarez v. BQA Transport LLC

Caproni

Honorable Judge Caproni:

We represent Plaintiff Suarez in the above-referenced action. The issue at hand pertains to the motion for Cheeks approval, which was scheduled for filing before December 14, 2023 at the latest, and the status conference scheduled for today, December 15, 2023 at 10:00am. Regrettably, the motion that was uploaded currently lacks the signature of the Defendant, which has caused an unforeseen delay. Additionally, the confession of judgment, although diligently prepared, remains unsigned and unnotarized by the Defendant. The parties understand that pursuant to your Honor's rules, the parties were to request an extension for an adjournment before 48 hours. However, the parties fully expected to have the motion fully executed filed by yesterday.

The only outstanding elements required for the completion of this motion are the signatures of the Defendant on the agreement and the notarization of the confession of judgment. I respectfully request a brief extension of one (1) week to secure these signatures and finalize the motion for Cheeks approval.

I offer my sincerest apologies for any disruption this may cause to your docket.

Thank you for your understanding and for considering this request for an extension.

Respectfully, /s/
 Lina Stillman, Esq.
 Counsel for Plaintiff Suarez

Application GRANTED in part. Despite the Court's express warning not to file a late adjournment request again, *see* Order, Dkt. 16, Plaintiff filed this letter and contacted chambers after the parties' deadline to file a *Cheeks* motion had passed, and shortly before a scheduled status conference, which the parties were not prepared to attend. Plaintiff also does not explain why Defendants' purported failure to sign and notarize relevant papers prevented the parties from timely updating the Court and requesting an adjournment. The parties must file a finalized *Cheeks* motion not later than **Tuesday, December 19, 2023 at 6:00 P.M.** **The Court is highly unlikely to grant a further extension request.** Not later than **Wednesday, December 20, 2023**, the parties must show cause why they should not be sanctioned for disregarding the Court's Order and for needlessly causing the Court to prepare for a status conference they did not plan to attend.

The parties' draft motion for approval of settlement is DENIED without prejudice. The Clerk of Court is respectfully directed to closed the open motions at Dkts. 17 and 18.

SO ORDERED.

 12/15/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE